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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

BARNES & THORNBURG LLP
P.O. BOX 2786
CHICAGO IL 60690-2786

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In re Application of :
Preiksas, et al. :
Application No. 10/639,925 :
Filed: August 12, 2003 :
Attorney Docket No. 920602-94605 :
For: IMPROVEMENTS IN AND RELATING
TO THE CONTROL OF INSTRUMENTS

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on May 3, 2006 (certificate of mailing date May 1, 2006) to revive the above-identified application.

This application became abandoned for failure to properly respond to the final Office action mailed October 12, 2005, which set an extendable three month period for reply. Applicants obtained a two month extension of time and submitted an amendment after final on March 13, 2006 (certificate of mailing date March 10, 2006). However, the amendment after final failed to place this application in *prima facie* condition for allowance, as was explained in the April 13, 2006 Advisory action. Accordingly, this application became abandoned on March 13, 2006. The filing of the present petition precedes the mailing of A Notice of Abandonment.

Applicants have submitted a RCE and required fee and amendment in reply to the October 12, 2005 final Office action, an acceptable statement of the unintentional nature of the delay in responding to the October 12, 2005 final Office action, and the petition fee.

The petition is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center AU 2863 for consideration of the RCE and amendment filed on May 3, 2006 (certificate of mailing date May 1, 2006).

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions